



General Assembly

Distr.
GENERAL

A/RES/53/100
20 January 1999

Fifty-third session
Agenda item 149

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/53/630)]

53/100. United Nations Decade of International Law

The General Assembly,

Recalling its resolution 44/23 of 17 November 1989, by which it declared the period 1990–1999 the United Nations Decade of International Law,

Noting the conclusion of the United Nations Decade of International Law in 1999,

Recalling that the main purposes of the Decade, according to resolution 44/23, should be, *inter alia*:

- (a) To promote acceptance of and respect for the principles of international law,
- (b) To promote means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice,
- (c) To encourage the progressive development of international law and its codification,
- (d) To encourage the teaching, study, dissemination and wider appreciation of international law,

Recalling also its resolution 51/157 of 16 December 1996, to which was annexed the programme for the activities for the final term (1997–1999) of the Decade, its resolution 51/158 of 16 December 1996, entitled "Electronic treaty database", and its resolution 52/153 of 15 December 1997,

Having considered the note by the Secretary-General,¹ and expressing its appreciation therefor,

Welcoming the significant steps taken by the Secretary-General to rationalize and expedite the registration and publication of treaties pursuant to Article 102 of the Charter of the United Nations,

Noting the completion of the initial phase of the new electronic database for the United Nations Treaty Collection,

Recalling that the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations of 21 March 1986² is one of the conventions adopted under the aegis of the United Nations which have codified the law of treaties, and recalling also the impact of the Convention on the practice of treaties concluded between States and international organizations or between international organizations,

Noting that, in accordance with General Assembly decision 41/420 of 3 December 1986, the Secretary-General signed, on behalf of the United Nations, the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations,

Recalling that, at the forty-fifth session of the General Assembly, the Sixth Committee established the Working Group on the United Nations Decade of International Law with a view to preparing generally acceptable recommendations on the programme of activities for the Decade,

Noting that, at the fifty-third session of the General Assembly, the Sixth Committee reconvened the Working Group to continue its work in accordance with Assembly resolutions 52/153 and 52/155 of 15 December 1997 and all previous resolutions on the subject,

Having considered the oral report of the Chairman of the Working Group to the Sixth Committee,³

1. *Expresses its appreciation* for the work done on the United Nations Decade of International Law at the fifty-third session of the General Assembly, and requests the Working Group of the Sixth Committee to continue its work at the fifty-fourth session in accordance with its mandate and methods of work;

2. *Expresses its appreciation* to States and international organizations and institutions that have undertaken activities, including sponsoring conferences on various subjects of international law, in implementation of the programme for the activities for the final term (1997-1999) of the Decade;

3. *Invites* all States and international organizations and institutions referred to in the programme to provide, update or supplement information on activities they have undertaken in implementation of the programme, as appropriate, to the Secretary-General for inclusion in the report requested in paragraph 8 of resolution 51/157, which should also contain a list of major international conventions adopted under the auspices of the United Nations during the Decade in the field of international law;

¹ A/53/492.

² A/CONF.129/15.

³ See *Official Records of the General Assembly, Fifty-third Session, Sixth Committee, 32nd meeting (A/C.6/53/SR.32)*, and corrigendum.

4. *Welcomes* the work done by the Permanent Court of Arbitration in the field of the peaceful settlement of disputes, including the adoption of its optional rules of procedure for fact-finding commissions of inquiry, which entered into effect on 15 December 1997;
5. *Encourages* States to disseminate at the national level, as appropriate, information contained in the note by the Secretary-General;¹
6. *Authorizes* the Secretary-General to deposit, on behalf of the United Nations, an act of formal confirmation of the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations,² as provided for in article 83 of the Convention;
7. *Encourages* States to consider ratifying or acceding to the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations, international organizations that have signed the Convention to deposit an act of formal confirmation of the Convention, and other international organizations entitled to do so to accede to it at an early date;
8. *Encourages* States parties and international organizations or agencies, including depositaries, in order to facilitate further implementation of the obligation laid down in Article 102 of the Charter of the United Nations, to provide, where available, a copy of the text of any treaty in disk or other electronic format and to consider providing, where available, translations in English or French or both, as may be needed, for the purpose of assisting with the timely publication of the United Nations *Treaty Series*;
9. *Expresses its appreciation* to the Office of Legal Affairs of the Secretariat for its efforts to facilitate access to information concerning United Nations activities in the field of international law, and to bring up to date the publication of the *United Nations Juridical Yearbook*, and encourages it to continue its efforts in this regard;
10. *Also expresses its appreciation* to the Secretary-General for the progress achieved in establishing a new electronic database for the United Nations Treaty Collection, and encourages him to continue the development of this database with a view to expeditiously providing Member States with a greater range of easily accessible treaty-related information;
11. *Encourages* the Secretary-General to continue developing a policy of providing Internet access to the United Nations *Treaty Series* and the *Multilateral Treaties Deposited with the Secretary-General*, bearing in mind the needs of States, in particular developing countries, in recovering the costs thereof, and requests the Secretary-General to report on this issue at its fifty-fourth session;
12. *Requests* the Secretary-General to provide all necessary assistance, including translation services, to implement the plan to eliminate the historical backlog in the publication of the United Nations *Treaty Series* within the next biennium;
13. *Expresses its appreciation* to the Secretary-General for his note containing a list of the titles of the treaties appearing in the publication *Multilateral Treaties Deposited with the Secretary-General*;⁴

⁴ A/53/525.

14. *Requests* the Secretary-General to ensure that hard copies of the publications mentioned in paragraph 11 above continue to be distributed to permanent missions free of charge in accordance with their needs;

15. *Appeals* to States, international organizations and non-governmental organizations working in the field of international law, and to the private sector, to make financial contributions or contributions in kind for the purpose of facilitating the implementation of the programme;

16. *Once again requests* the Secretary-General to bring the programme, as well as the note referred to in paragraph 13 above, to the attention of States and international organizations and institutions working in the field of international law;

17. *Notes with appreciation* the activities undertaken by the International Committee of the Red Cross in the field of international humanitarian law, including with regard to the protection of the environment in times of armed conflict;

18. *Takes note with interest* of the events that will take place during the year 1999 to commemorate the centennial of the first International Peace Conference and the closing of the United Nations Decade of International Law;⁵

19. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "United Nations Decade of International Law" and to convene a one-day plenary meeting on 17 November 1999 to mark the end of the Decade.

*83rd plenary meeting
8 December 1998*

⁵ See A/C.6/53/11, annex.



General Assembly

Distr.
GENERAL

A/RES/53/101
20 January 1999

Fifty-third session
Agenda item 149

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/53/630)]

53/101. Principles and guidelines for international negotiations

The General Assembly,

Recalling the purposes and principles of the Charter of the United Nations,

Reaffirming the provisions of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations¹ and of the Manila Declaration on the Peaceful Settlement of International Disputes,²

Taking into account the objectives of the United Nations Decade of International Law,

Considering that international negotiations constitute a flexible and effective means for, among other things, the peaceful settlement of disputes among States and for the creation of new international norms of conduct,

Bearing in mind that in their negotiations States should be guided by the relevant principles and rules of international law,

Conscious of the existence of different means of peaceful settlement of disputes, as enshrined in the Charter and recognized by international law, and reaffirming, in this context, the right of free choice of those means,

¹ Resolution 2625 (XXV), annex.

² Resolution 37/10, annex.

Bearing in mind the important role that constructive and effective negotiations can play in attaining the purposes of the Charter by contributing to the management of international relations, the peaceful settlement of disputes and the creation of new international norms of conduct of States,

Noting that the identification of principles and guidelines of relevance to international negotiations could contribute to enhancing the predictability of negotiating parties, reducing uncertainty and promoting an atmosphere of trust at negotiations,

Recognizing that the following could offer a general, non-exhaustive frame of reference for negotiations,

1. *Reaffirms* the following principles of international law which are of relevance to international negotiations:

(a) Sovereign equality of all States, notwithstanding differences of an economic, social, political or other nature;

(b) States have the duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter of the United Nations;

(c) States have the duty to fulfil in good faith their obligations under international law;

(d) States have the duty to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations;

(e) Any agreement is void if its conclusion has been procured by the threat or use of force in violation of the principles of international law embodied in the Charter;

(f) States have the duty to cooperate with one another, irrespective of the differences in their political, economic and social systems, in the various spheres of international relations, in order to maintain international peace and security and to promote international economic stability and progress, the general welfare of nations and international cooperation free from discrimination based on such differences;

(g) States shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered;

2. *Affirms* the importance of conducting negotiations in accordance with international law in a manner compatible with and conducive to the achievement of the stated objective of negotiations and in line with the following guidelines:

(a) Negotiations should be conducted in good faith;

(b) States should take due account of the importance of engaging, in an appropriate manner, in international negotiations the States whose vital interests are directly affected by the matters in question;

(c) The purpose and object of all negotiations must be fully compatible with the principles and norms of international law, including the provisions of the Charter;

/...

- (d) States should adhere to the mutually agreed framework for conducting negotiations;
- (e) States should endeavour to maintain a constructive atmosphere during negotiations and to refrain from any conduct which might undermine the negotiations and their progress;
- (f) States should facilitate the pursuit or conclusion of negotiations by remaining focused throughout on the main objectives of the negotiations;
- (g) States should use their best endeavours to continue to work towards a mutually acceptable and just solution in the event of an impasse in negotiations.

*83rd plenary meeting
8 December 1998*



General Assembly

Distr.
GENERAL

A/RES/53/102
26 January 1999

Fifty-third session
Agenda item 150

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/53/631)]

53/102. Report of the International Law Commission on the work of its fiftieth session

The General Assembly,

Having considered the report of the International Law Commission on the work of its fiftieth session,¹

Emphasizing the importance of furthering the progressive development of international law and its codification as a means of implementing the purposes and principles set forth in the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,²

Emphasizing also the role of the International Law Commission in the fulfilment of the objectives of the United Nations Decade of International Law,

Recognizing the desirability of referring legal and drafting questions to the Sixth Committee, including topics that might be submitted to the International Law Commission for closer examination, and of enabling the Sixth Committee and the Commission further to enhance their contribution to the progressive development of international law and its codification,

¹ *Official Records of the General Assembly, Fifty-third Session, Supplement No. 10 and corrigendum (A/53/10 and Corr.1).*

² Resolution 2625 (XXV), annex.

Recalling the need to keep under review those topics of international law which, given their new or renewed interest for the international community, may be suitable for the progressive development and codification of international law and therefore may be included in the future programme of work of the International Law Commission,

Stressing the usefulness of structuring the debate on the report of the International Law Commission in the Sixth Committee in such a manner that conditions are provided for concentrated attention to each of the main topics dealt with in the report,

Wishing to enhance further the interaction between the Sixth Committee as a body of governmental representatives and the International Law Commission as a body of independent legal experts, with a view to improving the dialogue between the two organs,

Noting the holding of a split session of the International Law Commission in 1998,

1. *Takes note* of the report of the International Law Commission on the work of its fiftieth session,¹ and expresses its appreciation to the Commission for the work accomplished at that session, in particular the completion of the first reading of the draft articles on the prevention part of the topic "International liability for injurious consequences arising out of acts not prohibited by international law";

2. *Draws the attention* of Governments to the importance for the International Law Commission of having their views on all the specific issues identified in chapter III of its report, and invites them to submit comments and observations in writing by 1 January 2000 on the draft articles on international liability for injurious consequences arising out of acts not prohibited by international law (prevention of transboundary damage from hazardous activities);

3. *Recommends* that, taking into account the comments and observations of Governments, whether in writing or expressed orally in debates in the General Assembly, the International Law Commission should continue its work on the topics in its current programme;

4. *Welcomes* the valuable work done by the International Law Commission on the topic "International liability for injurious consequences arising out of acts not prohibited by international law", and requests the Commission, while continuing its work on prevention, to examine other issues arising out of the topic, taking into account comments made by Governments, either in writing or in the Sixth Committee, and to submit its recommendations on the future work to be done on these issues to the Sixth Committee;

5. *Invites* Governments to submit the most relevant national legislation, decisions of domestic courts and State practice relevant to diplomatic protection in order to assist the International Law Commission in its future work on the topic "Diplomatic protection";

6. *Takes note* of the consideration by the International Law Commission of its long-term programme of work,³ and encourages the Commission to proceed with the selection of new topics for its next quinquennium;

³ See *Official Records of the General Assembly, Fifty-third Session, Supplement No. 10* and corrigendum (A/53/10 and Corr.1), chap. X, sect. C.

7. *Welcomes with appreciation* the steps taken by the International Law Commission in relation to its internal matters, as contained in paragraphs 543 and 544 of its report, and encourages it to continue enhancing its efficiency and productivity, taking into consideration the discussion held by the General Assembly at its fifty-third session;

8. *Endorses* the decision by the International Law Commission on the duration of its session in 1999, as presented in paragraph 562 of its report;

9. *Takes note* of paragraphs 562 and 563 of the report of the International Law Commission regarding the holding of split sessions as of 2000, requests the Commission to examine the advantages and disadvantages of such split sessions, and decides to return to this matter at its fifty-fourth session;

10. *Stresses* the desirability of enhancing dialogue between the International Law Commission and the Sixth Committee, and in this context requests the Commission to submit any recommendations to that effect;

11. *Requests* the International Law Commission to continue to pay special attention to indicating in its annual report, for each topic, any specific issues on which expressions of views by Governments, either in the Sixth Committee or in written form, would be of particular interest in providing effective guidance for the Commission in its further work;

12. *Also requests* the International Law Commission to continue the implementation of article 16, paragraph (e), and article 26, paragraphs 1 and 2, of its statute in order to further strengthen cooperation between the Commission and other bodies concerned with international law, having in mind the usefulness of such cooperation, and invites the Commission to provide the Sixth Committee with updated information in this regard at the fifty-fourth session of the General Assembly;

13. *Notes* that consulting with national organizations and individual experts concerned with international law may assist Governments in considering whether to make comments and observations on drafts submitted by the International Law Commission and in formulating their comments and observations;

14. *Reaffirms* its previous decisions concerning the role of the Codification Division of the Office of Legal Affairs of the Secretariat and those concerning the summary records and other documentation of the International Law Commission;

15. *Takes note* of the inclusion of information about the work of the International Law Commission in its Web site;⁴

16. *Once again expresses the wish* that seminars will continue to be held in conjunction with the sessions of the International Law Commission and that an increasing number of participants from developing countries will be given the opportunity to attend those seminars, appeals to States that can do so to make the voluntary contributions that are urgently needed for the holding of the seminars, and requests the Secretary-General to provide the seminars with adequate services, including interpretation, as required;

⁴ The Internet address is as follows: <http://www.un.org/law/ilc/index.htm>.

17. *Requests* the Secretary-General to forward to the International Law Commission, for its attention, the records of the debate on the report of the Commission at the fifty-third session of the General Assembly, together with such written statements as delegations may circulate in conjunction with their oral statements, and to prepare and distribute a topical summary of the debate, following established practice;

18. *Notes with satisfaction* the fiftieth anniversary of the International Law Commission, which was fittingly commemorated by a seminar held at Geneva on 21 and 22 April 1998 and by other events;

19. *Recommends* that the debate on the report of the International Law Commission at the fifty-fourth session of the General Assembly commence on 25 October 1999.

*83rd plenary meeting
8 December 1998*



General Assembly

Distr.
GENERAL

A/RES/53/103
26 January 1999

Fifty-third session
Agenda item 151

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/53/632)]

53/103. Report of the United Nations Commission on International Trade Law on the work of its thirty-first session

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it created the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Reaffirming its conviction that the progressive harmonization and unification of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would significantly contribute to universal economic cooperation among all States on a basis of equality, equity and common interest and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

Stressing the value of participation by States at all levels of economic development and from different legal systems in the process of harmonizing and unifying international trade law,

Having considered the report of the Commission on the work of its thirty-first session,¹

¹ *Official Records of the General Assembly, Fifty-third Session, Supplement No. 17 (A/53/17).*

Mindful of the valuable contribution to be rendered by the Commission within the framework of the United Nations Decade of International Law, in particular as regards the dissemination of international trade law,

Concerned that activities undertaken by other bodies of the United Nations system in the field of international trade law without coordination with the Commission might lead to undesirable duplication of efforts and would not be in keeping with the aim of promoting efficiency, consistency and coherence in the unification and harmonization of international trade law, as stated in its resolution 37/106 of 16 December 1982,

Stressing the importance of the further development of the Case Law on United Nations Commission on International Trade Law Texts in promoting the uniform application of the legal texts of the Commission and its value for government officials, practitioners and academics,

1. *Takes note with appreciation* of the report of the United Nations Commission on International Trade Law on the work of its thirty-first session;¹

2. *Commends* the Commission for the progress made in its work on receivables financing, electronic commerce, privately financed infrastructure projects and the legislative implementation of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, done at New York on 10 June 1958;²

3. *Also commends* the Commission for holding a special commemorative "New York Convention Day" in order to celebrate the fortieth anniversary of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards and a Uniform Commercial Law Information Colloquium, designed to provide information on current topics and generate discussion among experts that might be useful in the consideration of those topics by the Commission;

4. *Appeals* to Governments that have not yet done so to reply to the questionnaire circulated by the Secretariat in relation to the legal regime governing the recognition and enforcement of foreign arbitral awards;

5. *Invites* States to nominate persons to work with the private foundation established to encourage assistance to the Commission from the private sector;

6. *Reaffirms* the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to coordinate legal activities in this field and, in this connection:

(a) *Calls upon* all bodies of the United Nations system and invites other international organizations to bear in mind the mandate of the Commission and the need to avoid duplication of effort and to promote efficiency, consistency and coherence in the unification and harmonization of international trade law;

(b) *Recommends* that the Commission, through its secretariat, continue to maintain close cooperation with the other international organs and organizations, including regional organizations, active in the field of international trade law;

² United Nations, *Treaty Series*, vol. 330, No. 4739.

7. *Also reaffirms* the importance, in particular for developing countries, of the work of the Commission concerned with training and technical assistance in the field of international trade law, such as assistance in the preparation of national legislation based on legal texts of the Commission;

8. *Expresses the desirability* for increased efforts by the Commission, in sponsoring seminars and symposia, to provide such training and technical assistance, and in this connection:

(a) Expresses its appreciation to the Commission for organizing seminars and briefing missions in Colombia, Cyprus, Ecuador, Greece, Malta, Peru, South Africa and the United Arab Emirates;

(b) Expresses its appreciation to the Governments whose contributions enabled the seminars and briefing missions to take place, and appeals to Governments, the relevant United Nations organs, organizations, institutions and individuals to make voluntary contributions to the United Nations Commission on International Trade Law Trust Fund for Symposia and, where appropriate, to the financing of special projects, and otherwise to assist the secretariat of the Commission in financing and organizing seminars and symposia, in particular in developing countries, and in the award of fellowships to candidates from developing countries to enable them to participate in such seminars and symposia;

9. *Appeals* to the United Nations Development Programme and other bodies responsible for development assistance, such as the International Bank for Reconstruction and Development and the European Bank for Reconstruction and Development, as well as to Governments in their bilateral aid programmes, to support the training and technical assistance programme of the Commission and to cooperate and coordinate their activities with those of the Commission;

10. *Appeals* to Governments, the relevant United Nations organs, organizations, institutions and individuals, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to make voluntary contributions to the trust fund for travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General;

11. *Decides*, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to continue, in the competent Main Committee during the fifty-third session of the General Assembly, its consideration of granting travel assistance to the least developed countries that are members of the Commission, at their request and in consultation with the Secretary-General;

12. *Requests* the Secretary-General to ensure the effective implementation of the programme of the Commission;

13. *Stresses* the importance of bringing into effect the conventions emanating from the work of the Commission for the global unification and harmonization of international trade law, and to this end urges States that have not yet done so to consider signing, ratifying or acceding to those conventions.

83rd plenary meeting
8 December 1998



General Assembly

Distr.
GENERAL

A/RES/53/104
26 January 1999

Fifty-third session
Agenda item 152

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/53/633)]

53/104. Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,¹

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations,² the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,³ and the responsibilities of the host country,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

Noting the spirit of cooperation and mutual understanding that has guided the deliberations of the Committee on issues affecting the United Nations community and the host country,

¹ *Official Records of the General Assembly, Fifty-third Session, Supplement No. 26 (A/53/26).*

² Resolution 22 A (I).

³ See resolution 169 (II).

Taking into account the increase in profound interest and concern of many Member States in the work of the Committee,

Noting that the Committee reviewed its membership and composition with the full participation of observers, in accordance with the request contained in General Assembly resolution 52/159 of 15 December 1997,

1. *Endorses* the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 50 of its report;¹
2. *Endorses* the recommendation of the Committee that its membership be increased by four members, including one each from African, Asian, Latin American and Caribbean and Eastern European States, to be chosen by the President of the General Assembly in accordance with resolution 2819 (XXVI) of 15 December 1971, in consultation with the regional groups;
3. *Considers* that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations is in the interest of the United Nations and all Member States, and requests the host country to continue to take all measures necessary to prevent any interference with the functioning of missions;
4. *Expresses its appreciation* for the efforts made by the host country, and hopes that the issues raised at the meetings of the Committee will continue to be resolved in a spirit of cooperation and in accordance with international law;
5. *Notes* that during the reporting period the travel controls previously imposed by the host country on staff of certain missions and staff members of the Secretariat of certain nationalities remained in effect, and requests the host country to consider removing such travel controls, and in this regard notes the positions of affected States, of the Secretary-General and of the host country;
6. *Requests* the host country to continue to take steps to resolve the problem relating to the parking of diplomatic vehicles in a fair, balanced and non-discriminatory way, with a view to responding to the growing needs of the diplomatic community, and to continue to consult with the Committee on this important issue;
7. *Welcomes* the efforts of the Committee aimed at identifying affordable health-care programmes for the diplomatic community;
8. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;
9. *Requests* the Committee to continue its work in conformity with General Assembly resolution 2819 (XXVI);
10. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Report of the Committee on Relations with the Host Country".

*83rd plenary meeting
8 December 1998*



General Assembly

Distr.
GENERAL

A/RES/53/105
26 January 1999

Fifty-third session
Agenda item 153

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/53/634)]

53/105. Establishment of an international criminal court

The General Assembly,

Recalling its resolutions 47/33 of 25 November 1992, 48/31 of 9 December 1993, 49/53 of 9 December 1994, 50/46 of 11 December 1995 and 51/207 of 17 December 1996,

Recalling also its resolution 52/160 of 15 December 1997, in which it decided to hold the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court at Rome from 15 June to 17 July 1998,

Expressing satisfaction at the completion of the mandate of that resolution by the adoption of the Rome Statute of the International Criminal Court at the headquarters of the Food and Agriculture Organization of the United Nations on 17 July 1998,¹ noting that the Statute was open for signature in Rome from 17 July until 17 October 1998 and that thereafter it will be open for signature in New York at United Nations Headquarters until 31 December 2000, and taking note of the Final Act of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court done at Rome on 17 July 1998,²

Noting that a significant number of States have signed the Rome Statute,

¹ A/CONF.183/9.

² A/CONF.183/10.

Emphasizing the need to make the necessary arrangements for the commencement of the functions of the International Criminal Court in order to ensure its effective operation,

Noting in particular that the Conference decided to establish a Preparatory Commission for the Court, consisting of representatives of States that have signed the Final Act of the Conference and other States that were invited to participate in the Conference,³

Noting that the Conference requested the Secretary-General to convene the Preparatory Commission at Headquarters as early as possible, at a date to be decided by the General Assembly,³

Bearing in mind the mandate of the Preparatory Commission with regard to the preparation of proposals for practical arrangements for the establishment and coming into operation of the Court, including the finalization before 30 June 2000 of the draft texts of the rules of procedure and evidence and of the elements of crimes,³

Recognizing the need for making available adequate resources and secretariat services to the Preparatory Commission in order to enable it to discharge its functions efficiently and expeditiously,

1. *Acknowledges* the historic significance of the adoption of the Rome Statute of the International Criminal Court;¹

2. *Expresses its deep appreciation and gratitude* to the Government of Italy for hosting the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court in Rome;

3. *Calls upon* all States to consider signing and ratifying the Rome Statute, and encourages efforts aimed at promoting awareness of the results of the Conference and of the provisions of the Rome Statute;

4. *Requests* the Secretary-General to convene the Preparatory Commission, in accordance with resolution F adopted by the Conference,³ from 16 to 26 February, 26 July to 13 August and 29 November to 17 December 1999, to carry out the mandate of that resolution and, in that connection, to discuss ways to enhance the effectiveness and acceptance of the Court;

5. *Also requests* the Secretary-General to make available to the Preparatory Commission secretariat services, not including the preparation of working documents, to enable it to perform its functions;

6. *Further requests* the Secretary-General to invite, as observers to the Preparatory Commission, representatives of organizations and other entities that have received a standing invitation from the General Assembly, pursuant to its relevant resolutions,⁴ to participate in the capacity of observers in its sessions and work, and also to invite as observers to the Preparatory Commission representatives of interested regional intergovernmental organizations and other interested international bodies, including the international tribunals for the former Yugoslavia and Rwanda;

³ Ibid., annex I.

⁴ Resolutions 253 (III), 477 (V), 2011 (XX), 3208 (XXIX), 3237 (XXIX), 3369 (XXX), 31/3, 33/18, 35/2, 35/3, 36/4, 42/10, 43/6, 44/6, 45/6, 46/8, 47/4, 48/2, 48/3, 48/4, 48/5, 48/237, 48/265, 49/1, 49/2, 50/2, 51/1, 51/6, 51/204 and 52/6.

7. *Notes* that non-governmental organizations may participate in the work of the Preparatory Commission by attending its plenary and its other open meetings, in accordance with the rules of procedure to be adopted by the Commission, receiving copies of the official documents and making available their materials to delegates;

8. *Requests* the Secretary-General to take steps to expand the mandate of the trust fund established pursuant to Assembly resolution 51/207 for voluntary contributions towards meeting the cost of participation in the work of the Preparatory Commission of the least developed countries, and encourages States to contribute voluntarily to this trust fund;

9. *Also requests* the Secretary-General to take steps to expand the mandate of the trust fund established pursuant to Assembly resolution 52/160 for voluntary contributions towards meeting the cost of participation in the work of the Preparatory Commission of those developing countries not covered by the trust fund referred to in paragraph 8, above, and invites States to contribute voluntarily to this trust fund;

10. *Further requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution;

11. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Establishment of the International Criminal Court".

*83rd plenary meeting
8 December 1998*



General Assembly

Distr.
GENERAL

A/RES/53/106
20 January 1999

Fifty-third session
Agenda item 154

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/53/635)]

53/106. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its relevant resolutions adopted at subsequent sessions,

Recalling also its resolution 47/233 of 17 August 1993 on the revitalization of the work of the General Assembly,

Recalling further its resolution 47/62 of 11 December 1992 on the question of equitable representation on and increase in the membership of the Security Council,

Taking note of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council,¹

Taking note also of the report of the Secretary-General on the results of the ad hoc expert group meeting convened in accordance with General Assembly resolution 52/162 of 15 December 1997,²

¹ Official Records of the General Assembly, Fifty-second Session, Supplement No. 47 (A/52/47).

² See A/53/312, sect. IV.

Recalling the elements relevant to the work of the Special Committee contained in its resolution 47/120 B of 20 September 1993,

Recalling also its resolution 51/241 of 31 July 1997 on the strengthening of the United Nations system and its resolution 51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", by which it adopted the texts on coordination and the question of sanctions imposed by the United Nations, which are annexed to that resolution,

Recalling further that the International Court of Justice is the principal judicial organ of the United Nations, and reaffirming its authority and independence,

Taking note of the report of the Secretary-General containing the comments and observations of the International Court of Justice and States on the consequences that the increase in the volume of cases before the Court has on its operation,³

Considering the desirability of finding practical ways and means of strengthening the Court,

Taking note of the report of the Secretary-General on the *Repertory of Practice of United Nations Organs and the Repertoire of the Practice of the Security Council*,⁴

Recalling its resolution 52/162 of 15 December 1997,

Having considered the report of the Special Committee on the work of its session held in 1998,⁵

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;⁵

2. *Welcomes* the report of the Secretary-General on the results of the ad hoc expert group meeting convened in accordance with General Assembly resolution 52/162;²

3. *Decides* that the Special Committee will hold its next session from 12 to 23 April 1999;

4. *Requests* the Special Committee, at its session in 1999, in accordance with paragraph 5 of General Assembly resolution 50/52 of 11 December 1995:

(a) To continue its consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations and, in this context, to consider other proposals relating to the maintenance of international peace and security already submitted or which may be submitted to the Special Committee at its session in 1999, including the revised proposal on the strengthening of the role of the United Nations in the maintenance of international peace and

³ A/53/326 and Corr.1 and Add.1.

⁴ A/53/386.

⁵ *Official Records of the General Assembly, Fifty-third Session, Supplement No. 33 (A/53/33).*

security,⁶ the revised working paper on the strengthening of the role of the Organization and enhancing its effectiveness,⁷ the revised working paper entitled "Basic conditions and criteria for the introduction of sanctions and other coercive measures and their implementation"⁸ and the working paper on the draft declaration on the basic principles and criteria for the work of the United Nations peacekeeping missions and mechanisms for the prevention and settlement of crises and conflicts;⁹

(b) To continue to consider on a priority basis the question of the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter, taking into consideration the reports of the Secretary-General,¹⁰ the proposals submitted on this question, the debate on the question in the Sixth Committee at the fifty-third session of the General Assembly and the text on the question of sanctions imposed by the United Nations contained in annex II to General Assembly resolution 51/242, and also the implementation of the provisions of General Assembly resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996, 52/162 of 15 December 1997 and 53/107 of 8 December 1998;

(c) To continue its work on the question of the peaceful settlement of disputes between States and, in this context, to continue its consideration of proposals relating to the peaceful settlement of disputes between States, including the proposal on the establishment of a dispute settlement service offering or responding with its services early in disputes and those proposals relating to the enhancement of the role of the International Court of Justice;

(d) To continue to consider proposals concerning the Trusteeship Council in the light of the report of the Secretary-General submitted in accordance with resolution 50/55 of 11 December 1995,¹¹ the report of the Secretary-General entitled "Renewing the United Nations: a programme for reform"¹² and the views expressed by States on this subject at the previous sessions of the General Assembly;

(e) To continue to consider, taking into account the comments presented by the International Court of Justice and States pursuant to resolution 52/161 of 15 December 1997, practical ways and means of strengthening the Court, while respecting its authority and independence, on the understanding that whatever action may be taken as a result of the consideration will have no implications for any changes in the Charter of the United Nations or in the Statute of the International Court of Justice;

5. Takes note of subparagraphs (a), (b), (c), (d) and (f) of paragraph 32 of the report of the Secretary-General,⁴ and requests him to continue to undertake efforts to identify resources to prepare supplements to the

⁶ See *Official Records of the General Assembly, Fifty-first Session, Supplement No. 33 (A/51/33)*, para. 56.

⁷ *Ibid.*, *Fifty-second Session, Supplement No. 33 and corrigendum (A/52/33 and Corr.1)*, para. 59.

⁸ *Ibid.*, *Fifty-third Session, Supplement No. 33 (A/53/33)*, para. 45.

⁹ *Ibid.*, *Fifty-first Session, Supplement No. 33 (A/51/33)*, para. 128.

¹⁰ A/48/573-S/26705 (see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*), A/49/356, A/50/60-S/1995/1 (see *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*), A/50/423, A/50/361, A/51/317, A/52/308 and A/53/312.

¹¹ A/50/1011.

¹² A/51/950 and Add.1-7.

Repertory of Practice of United Nations Organs and the Repertoire of the Practice of the Security Council and, in particular, to complete the work required to issue the two remaining volumes of Supplement No. 5 to the *Repertory of Practice of United Nations Organs* and to submit a progress report on the matter to the General Assembly at its fifty-fourth session;

6. *Invites* the Special Committee at its session in 1999 to continue to identify new subjects for consideration in its future work with a view to contributing to the revitalization of the work of the United Nations, to discuss how to offer its assistance to the working groups of the General Assembly in this field and, in this regard, to consider ways and means of improving coordination between the Special Committee and other working groups dealing with the reform of the Organization, including the role of the Chairperson of the Special Committee for this purpose, and to continue considering ways and means of improving its working methods;

7. *Requests* the Special Committee to submit a report on its work to the General Assembly at the fifty-fourth session;

8. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

83rd plenary meeting
8 December 1998



General Assembly

Distr.
GENERAL

A/RES/53/107
20 January 1999

Fifty-third session
Agenda item 154

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/53/635)]

**53/107 Implementation of the provisions of the Charter of the United Nations
related to assistance to third States affected by the application of sanctions**

The General Assembly,

Concerned about the special economic problems confronting certain States arising from the carrying out of preventive or enforcement measures taken by the Security Council against other States, and taking into account the obligation of Members of the United Nations under Article 49 of the Charter of the United Nations to join in affording mutual assistance in carrying out the measures decided upon by the Security Council,

Recalling the right of third States confronted with special economic problems of that nature to consult the Security Council with regard to a solution of those problems, in accordance with Article 50 of the Charter,

Recognizing the desirability of the consideration of further appropriate procedures for consultations to deal in a more effective manner with the problems referred to in Article 50 of the Charter,

Recalling:

- (a) The report of the Secretary-General entitled "An Agenda for Peace",¹ in particular paragraph 41 thereof,

¹ A/47/277-S/24111; see *Official Records of the Security Council, Forty-seventh Year, Supplement for April, May and June 1992*, document S/24111.

(b) Its resolution 47/120 A of 18 December 1992, entitled "An Agenda for Peace: preventive diplomacy and related matters", its resolution 47/120 B of 20 September 1993, entitled "An Agenda for Peace", in particular section IV thereof, entitled "Special economic problems arising from the implementation of preventive or enforcement measures", and its resolution 51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", in particular annex II thereof, entitled "Question of sanctions imposed by the United Nations",

(c) The position paper of the Secretary-General entitled "Supplement to an Agenda for Peace",²

(d) The statement by the President of the Security Council of 22 February 1995,³

(e) The report of the Secretary-General⁴ prepared pursuant to the statement by the President of the Security Council⁵ regarding the question of special economic problems of States as a result of sanctions imposed under Chapter VII of the Charter,

(f) The reports of the Secretary-General on economic assistance to States affected by the implementation of the Security Council resolutions imposing sanctions against the Federal Republic of Yugoslavia⁶ and General Assembly resolutions 48/210 of 21 December 1993, 49/21 A of 2 December 1994, 50/58 E of 12 December 1995, 51/30 A of 5 December 1996 and 52/169 H of 16 December 1997,

(g) The reports of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization on the work of its sessions held in the years 1994 to 1998,⁷

(h) The reports of the Secretary-General on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter,⁸

Taking note of the most recent report of the Secretary-General, submitted in accordance with General

² A/50/60-S/1995/1; see *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/1.

³ S/PRST/1995/9; see *Resolutions and Decisions of the Security Council, 1995*.

⁴ A/48/573-S/26705; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26705.

⁵ See *Official Records of the Security Council, Forty-seventh Year, Supplement for October, November and December 1992*, document S/25036.

⁶ A/49/356, A/50/423, A/51/356 and A/52/535.

⁷ *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 33 (A/49/33)*; *ibid.*, *Fiftieth Session, Supplement No. 33 (A/50/33)*; *ibid.*, *Fifty-first Session, Supplement No. 33 (A/51/33)*; *ibid.*, *Fifty-second Session, Supplement No. 33 and corrigendum (A/52/33 and Corr.1)*; and *ibid.*, *Fifty-third Session, Supplement No. 33 (A/53/33)*.

⁸ A/50/361, A/51/317 and A/52/308.

Assembly resolution 52/162 of 15 December 1997,⁹

Recalling that the question of assistance to third States affected by the application of sanctions has been addressed recently in several forums, including the General Assembly and its subsidiary organs and the Security Council,

Recalling also the measures taken by the Security Council in accordance with the statement by the President of the Security Council of 16 December 1994¹⁰ that, as part of the effort of the Council to improve the flow of information and the exchange of ideas between members of the Council and other States Members of the United Nations, there should be increased recourse to open meetings, in particular at an early stage in its consideration of a subject,

Stressing that, in the formulation of sanctions regimes, due account should be taken of the potential effects of sanctions on third States,

Stressing also, in this context, the powers of the Security Council under Chapter VII of the Charter and the primary responsibility of the Council under Article 24 of the Charter for the maintenance of international peace and security in order to ensure prompt and effective action by the United Nations,

Recalling that, under Article 31 of the Charter, any Member of the United Nations that is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Council whenever the latter considers that the interests of that Member are specially affected,

Recognizing that the imposition of sanctions under Chapter VII has been causing special economic problems in third States and that it is necessary to intensify efforts to address those problems,

Taking into consideration the views of third States which could be affected by the imposition of sanctions,

Recognizing that assistance to third States affected by the application of sanctions would further contribute to an effective and comprehensive approach by the international community to sanctions imposed by the Security Council,

Recognizing also that the international community at large and, in particular, international institutions involved in providing economic and financial assistance should continue to take into account and address in a more effective manner the special economic problems of affected third States arising from the carrying out of preventive or enforcement measures taken by the Security Council under Chapter VII of the Charter, in view of their magnitude and of the adverse impact on the economy of those States,

Recalling the provisions of resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996 and 52/162 of 15 December 1997,

1. *Renews its invitation* to the Security Council to consider the establishment of further mechanisms or procedures, as appropriate, for consultations as early as possible under Article 50 of the Charter of the United Nations with third States, which are or may be confronted with special economic problems arising from the

⁹ A/53/312.

¹⁰ S/PRST/1994/81; see *Resolutions and Decisions of the Security Council, 1994*.

carrying out of preventive or enforcement measures imposed by the Council under Chapter VII of the Charter, with regard to a solution of those problems, including appropriate ways and means for increasing the effectiveness of its methods and procedures applied in the consideration of requests by the affected States for assistance;

2. *Welcomes once again* the further measures taken by the Security Council since the adoption of General Assembly resolution 50/51 and aimed at increasing the effectiveness and transparency of the sanctions committees, invites the Council to implement those measures, and strongly recommends that the Council continue its efforts to enhance further the functioning of the sanctions committees, to streamline their working procedures and to facilitate access to them by representatives of States that find themselves confronted with special economic problems arising from the carrying out of sanctions;

3. *Requests* the Secretary-General to pursue implementation of resolutions 50/51, 51/208 and 52/162 and to ensure that the competent units within the Secretariat develop the adequate capacity and appropriate modalities, technical procedures and guidelines to continue, on a regular basis, to collate and coordinate information about international assistance available to third States affected by the implementation of sanctions, to continue developing a possible methodology for assessing the adverse consequences actually incurred by third States and to initiate action in order to explore innovative and practical measures of assistance to the affected third States;

4. *Also requests* the Secretary-General to seek the views of States, the organizations of the United Nations system, international financial institutions and other international organizations regarding the report of the ad hoc expert group meeting on developing a methodology for assessing the consequences incurred by third States as a result of preventive or enforcement measures and on exploring innovative and practical measures of international assistance to the affected third States;¹¹

5. *Reaffirms* the important role of the General Assembly, the Economic and Social Council and the Committee for Programme and Coordination in mobilizing and monitoring, as appropriate, the economic assistance efforts by the international community and the United Nations system to States confronted with special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Security Council and, as appropriate, in identifying solutions to the special economic problems of those States, and decides to transmit the report of the ad hoc expert group meeting to the Economic and Social Council at its substantive session of 1999;

6. *Invites* the organizations of the United Nations system, international financial institutions, other international organizations, regional organizations and Member States to address more specifically and directly, where appropriate, special economic problems of third States affected by sanctions imposed under Chapter VII of the Charter and, for this purpose, to consider improving procedures for consultations to maintain a constructive dialogue with such States, including through regular and frequent meetings as well as, where appropriate, special meetings between the affected third States and the donor community, with the participation of United Nations agencies and other international organizations;

7. *Requests* the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, at its session in 1999, to continue to consider on a priority basis the question of the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter, taking into consideration all the related reports of the

¹¹ See A/53/312, sect. IV.

Secretary-General, in particular the most recent report containing a summary of the deliberations and main findings of the ad hoc expert group meeting convened pursuant to paragraph 4 of General Assembly resolution 52/162, the proposals submitted on this question, the debate on the question in the Sixth Committee during the fifty-third session of the General Assembly and the text on the question of sanctions imposed by the United Nations contained in annex II to General Assembly resolution 51/242, as well as the implementation of the provisions of General Assembly resolutions 50/51, 51/208, 52/162 and the present resolution,

8. *Decides* to continue to consider within the Sixth Committee, or if necessary within a working group of the Committee, at the fifty-fourth session of the General Assembly, further progress in the elaboration of effective measures aimed at the implementation of provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter;

9. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-fourth session.

*83rd plenary meeting
8 December 1998*



General Assembly

Distr.
GENERAL

A/RES/53/108
26 January 1999

Fifty-third session
Agenda item 155

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/53/636)]

53/108. Measures to eliminate international terrorism

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling all its relevant resolutions, including resolution 49/60 of 9 December 1994, by which it adopted the Declaration on Measures to Eliminate International Terrorism, and resolutions 50/53 of 11 December 1995, 51/210 of 17 December 1996 and 52/165 of 15 December 1997,

Recalling also the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,¹

Deeply disturbed by the persistence of terrorist acts, which have been carried out worldwide,

Stressing the need to strengthen further international cooperation between States and between international organizations and agencies, regional organizations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed,

Mindful of the need to enhance the role of the United Nations and the relevant specialized agencies in combating international terrorism, and of the proposals of the Secretary-General to enhance the role of the Organization in this respect,

¹ See resolution 50/6.

Recalling that in the Declaration on Measures to Eliminate International Terrorism, contained in the annex to resolution 49/60, the General Assembly encouraged States to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there was a comprehensive legal framework covering all aspects of the matter,

Bearing in mind the possibility of considering in the near future the elaboration of a comprehensive convention on international terrorism,

Bearing in mind also that the Twelfth Conference of Heads of State or Government of Non-Aligned Countries, held at Durban, South Africa, from 29 August to 3 September 1998, reaffirmed its collective position on terrorism and as a recent initiative called for an international summit conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations,²

Recognizing the urgent need to enhance international cooperation to prevent terrorist financing and to develop an appropriate legal instrument,

Having examined the report of the Secretary-General,³

1. *Strongly condemns* all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed;
2. *Reiterates* that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them;
3. *Reiterates its call* upon all States to adopt further measures in accordance with the relevant provisions of international law, including international standards of human rights, to prevent terrorism and to strengthen international cooperation in combating terrorism and, to that end, to consider in particular the implementation of the measures set out in paragraphs 3 (a) to (f) of its resolution 51/210;
4. *Also reiterates its call* upon all States, with the aim of enhancing the efficient implementation of relevant legal instruments, to intensify, as and where appropriate, the exchange of information on facts related to terrorism and, in so doing, to avoid the dissemination of inaccurate or unverified information;
5. *Reiterates its call* upon States to refrain from financing, encouraging, providing training for or otherwise supporting terrorist activities;

² See A/53/667-S/1998/1071, annex I, paras. 149-162; see *Official Records of the Security Council, Fifty-third Year, Supplement for October, November and December 1998*, document S/1998/1071.

³ A/53/314 and Corr.2 and Add.1.

6. *Reaffirms* that international cooperation as well as actions by States to combat terrorism should be conducted in conformity with the principles of the Charter of the United Nations, international law and relevant international conventions;
7. *Urges* all States that have not yet done so to consider, as a matter of priority, becoming parties to relevant conventions and protocols as referred to in paragraph 6 of resolution 51/210, as well as the International Convention for the Suppression of Terrorist Bombings,⁴ and calls upon all States to enact, as appropriate, domestic legislation necessary to implement the provisions of those conventions and protocols, to ensure that the jurisdiction of their courts enables them to bring to trial the perpetrators of terrorist acts, and to cooperate with and provide support and assistance to other States and relevant international and regional organizations to that end;
8. *Reaffirms* the Declaration on Measures to Eliminate International Terrorism contained in the annex to resolution 49/60 and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism contained in the annex to resolution 51/210, and calls upon all States to implement them;
9. *Takes note* of the measures aimed at strengthening the capacity of the Centre for International Crime Prevention of the Secretariat to enhance international cooperation and improve the response of Governments to terrorism in all its forms and manifestations;
10. *Decides* to address at its fifty-fourth session the question of convening a high-level conference in 2000 under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations;
11. *Decides also* that the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 shall continue to elaborate a draft international convention for the suppression of acts of nuclear terrorism with a view to completing the instrument, shall elaborate a draft international convention for the suppression of terrorist financing to supplement related existing international instruments, and subsequently shall address means of further developing a comprehensive legal framework of conventions dealing with international terrorism, including considering, on a priority basis, the elaboration of a comprehensive convention on international terrorism;
12. *Decides further* that the Ad Hoc Committee shall meet from 15 to 26 March 1999, devoting appropriate time to the consideration of the outstanding issues relating to the elaboration of a draft international convention for the suppression of acts of nuclear terrorism, and that it shall initiate the elaboration of a draft international convention for the suppression of terrorist financing, and recommends that the work continue during the fifty-fourth session of the General Assembly from 27 September to 8 October 1999, within the framework of a working group of the Sixth Committee, and that the Ad Hoc Committee be convened in 2000 to continue its work as referred to in paragraph 11 above;
13. *Requests* the Secretary-General to continue to provide the Ad Hoc Committee with the necessary facilities for the performance of its work;
14. *Requests* the Ad Hoc Committee to report to the General Assembly at its fifty-third session in the event of the completion of the draft convention for the suppression of acts of nuclear terrorism;

⁴ Resolution 52/164, annex.

15. *Also requests* the Ad Hoc Committee to report to the General Assembly at its fifty-fourth session on progress made in the implementation of its mandate;

16. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Measures to eliminate international terrorism".

*83rd plenary meeting
8 December 1998*



General Assembly

Distr.
GENERAL

A/RES/53/109
20 January 1999

Fifty-third session
Agenda item 100

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/53/615)]

53/109. International Year of Older Persons, 1999

The General Assembly,

Recalling its Proclamation on Ageing,¹ in which, *inter alia*, it designated the year 1999 as the International Year of Older Persons,

Recalling also the conceptual and operational frameworks for the Year,²

Convinced of the need to implement the International Plan of Action on Ageing³ and to promote adherence to the United Nations Principles for Older Persons,⁴

Mindful of its resolution 40/30 of 29 November 1985, in which it expressed its conviction that older persons must be considered an important and necessary element in the development process at all levels within a given society,

¹ Resolution 47/5, annex.

² A/50/114 and A/52/328.

³ See *Report of the World Assembly on Ageing, Vienna, 26 July-6 August 1982* (United Nations publication, Sales No. E.82.I.16), chap. VI.

⁴ Resolution 46/91, annex.

Mindful also of the relevant provisions of the Copenhagen Declaration and the Programme of Action of the World Summit for Social Development,⁵ the Programme of Action of the International Conference on Population and Development,⁶ the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,⁷ the Beijing Declaration and the Platform for Action of the Fourth World Conference on Women⁸ and the Habitat Agenda adopted by the second United Nations Conference on Human Settlements (Habitat II),⁹

Aware that, on the eve of the twenty-first century, the ageing of individuals and populations, unprecedented in the history of humankind, is having far-reaching effects on the way societies organize themselves, on relationships between the generations in families and communities, on the entire course of individual lives and on the terms, images and roles of older persons in their societies,

Mindful of the necessity to include a gender dimension in the preparations for the Year,

Wishing to promote investments to further lifelong human development and to preserve and support age-integrated social institutions,

Convinced that moving towards a society for all ages will require policies that strengthen individual lifelong development into late life, focusing on self-help and independence, and, relatedly and simultaneously, strengthen enabling environments of families, neighbourhoods, communities of interest and broad societal institutions based on principles of reciprocity and interdependence,

1. *Notes with satisfaction the successful launching of the International Year of Older Persons, with the theme "A society for all ages", on 1 October 1998 around the world and at United Nations Headquarters by the Secretary-General;*

2. *Takes note with appreciation of the valuable report of the Secretary-General on preparations for the International Year of Older Persons,¹⁰ including its exploration of a society for all ages, presented for further debate by national committees and others;*

3. *Encourages all States, the United Nations system and all other actors, in reaching out for a future society for all ages, to take advantage of the Year so as to increase awareness of the challenge of the*

⁵ *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

⁶ *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

⁷ A/CONF.157/24 (Part I), chap. III.

⁸ *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

⁹ *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II.

¹⁰ A/53/294.

demographic ageing of societies, the individual and social needs of older persons, the contributions of older persons to society and the need for a change in attitudes towards older persons;

4. *Welcomes* the activities relating to older persons undertaken by States, United Nations organizations and bodies and non-governmental organizations devoted to raising awareness, networking, reaching out and looking ahead beyond 1999;

5. *Encourages* States that have not yet done so to establish a national focal point or broad-based committee for the Year, and re-emphasizes that activities for the Year should be initiated primarily at the national level;

6. *Welcomes* the redesignation of the intergovernmental support group as the Consultative Group for the International Year of Older Persons, and invites it to continue its contributions to the observance of the Year;

7. *Recommends* that the Commission for Social Development should mainstream the issue of older persons into the work of the Commission and the preparatory work for the special session of the General Assembly to review the World Summit for Social Development in the year 2000;

8. *Calls upon* States, United Nations agencies and bodies and institutions of civil society, including the research community, to avoid age and gender bias in their treatment of older women so as to ensure that all older women have equal access to the private sector and to social services and to ensure their full and equal enjoyment of all human rights and fundamental freedoms;

9. *Encourages* States to embody in appropriate legislation the rights of older persons to equal access to and the use of social services, including care-giving systems and support services, without any discrimination;

10. *Urges* that the issue of older persons be mainstreamed into the work of the United Nations and national socio-economic programmes and plans, as appropriate;

11. *Invites* national committees to consider the desirability of drawing up:

(a) A set of principles for a society for all ages;

(b) Practical strategies for a society for all ages aimed at mainstreaming ageing into programmes and policies, while ensuring that the immediate developmental, income-security and health-care needs of older persons are met;

12. *Invites* national and international development entities, foundations and enterprises to explore ways of improving the access of older persons to credit, training and appropriate technologies for income generation and their participation in family, community and small businesses;

13. *Invites* Member States, in the five-year review and appraisal of the Programme of Action of the International Conference on Population and Development,⁶ to examine the implications of individual and population ageing;

/...

14. *Invites* the Department of Public Information of the Secretariat to continue its information campaign, intensifying, as feasible, its activities in January 1999 in support of countries that were unable to launch observances of the Year on 1 October 1998;

15. *Recommends* that research agendas for the next decades address the socio-economic adjustments required to move towards a society for all ages, focusing essentially on the lifelong and society-wide immediate and long-term implications of individual and population ageing within varied national contexts, and requests the United Nations programme on ageing to give priority attention to the research needs of developing countries;

16. *Invites* the United Nations Volunteers and organizations of older persons to evaluate the contributions of senior volunteers in creating societies for all ages, in keeping with the traditions, resources and aspirations of each country;

17. *Notes with appreciation* the valuable role of the media in the preparations for the Year and in raising awareness of it, and encourages the media, consistent with freedom of expression, to present non-stereotyped images of older persons;

18. *Invites* those institutions of civil society that are playing a vital role at the local, national and international levels in promoting the Year to focus their observance in 1999 of the International Day of Older Persons, 1 October, on the theme "Late-life potentials and contributions in a new age";

19. *Requests* States to participate, at an appropriate global policy-making level, in the four plenary meetings which, in resolution 52/80 of 12 December 1997, it decided to devote at its fifty-fourth session to the Year and its follow-up;

20. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution.

*85th plenary meeting
9 December 1998*



General Assembly

Distr.
GENERAL

A/RES/53/110
20 January 1999

Fifty-third session
Agenda item 101

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/53/616)]

53/110. Preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 52/91 of 12 December 1997 on preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Considering that, pursuant to its resolutions 415 (V) of 1 December 1950 and 46/152 of 18 December 1991, the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders is to be convened in the year 2000,

Recalling Economic and Social Council resolution 1993/32 of 27 July 1993 and the draft rules of procedure for United Nations congresses on the prevention of crime and the treatment of offenders annexed to that resolution,

Emphasizing the role of the Tenth Congress as a consultative body of the United Nations Crime Prevention and Criminal Justice Programme, in accordance with paragraph 29 of the statement of principles and programme of action of the Programme annexed to resolution 46/152,

Aware of the important work to be accomplished by the regional preparatory meetings for the Tenth Congress,

Stressing the importance of undertaking all the preparatory activities for the Tenth Congress in a timely and concerted manner,

Having considered the report of the Secretary-General on the progress made in the preparations for the Tenth Congress,¹

1. *Accepts with gratitude* the invitation of the Government of Austria to host the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders at Vienna;

2. *Decides* to hold the Tenth Congress from 10 to 17 April 2000, with pre-congress consultations to be held on 9 April 2000;

3. *Approves* the following provisional agenda for the Tenth Congress, finalized by the Commission on Crime Prevention and Criminal Justice at its seventh session:

1. Opening of the Congress.
2. Organizational matters.
3. Promoting the rule of law and strengthening the criminal justice system.
4. International cooperation in combating transnational crime: new challenges in the twenty-first century.
5. Effective crime prevention: keeping pace with new developments.
6. Offenders and victims: accountability and fairness in the justice process.
7. Adoption of the report of the Congress;

4. *Notes* that the Commission, at its seventh session, reviewed a draft discussion guide for the regional preparatory meetings for the Tenth Congress;²

5. *Endorses* the programme of work for the Tenth Congress, including the holding of four practical-oriented technical workshops on the following subjects:

- (a) Combating corruption;
- (b) Crimes related to the computer network;
- (c) Community involvement in crime prevention;
- (d) Women in the criminal justice system;

¹ E/CN.15/1998/2.

² E/CN.15/1998/2/Add.1/Rev.1.

6. *Decides* that the theme of the Tenth Congress should be "Crime and justice: meeting the challenges of the twenty-first century";
7. *Emphasizes* the importance of the workshops, and invites Member States, non-governmental organizations and other relevant entities to support financially, organizationally and technically the preparations for the workshops, including the preparation and circulation of relevant background material;
8. *Welcomes* the offer of the institutes constituting the United Nations Crime Prevention and Criminal Justice Programme network to assist in the preparations for the workshops;
9. *Invites* donor countries to cooperate with developing countries to ensure their full participation in the workshops;
10. *Encourages* Governments to undertake preparations for the Tenth Congress at an early stage by all appropriate means, including, where appropriate, the establishment of national preparatory committees, with a view to contributing to a focused and productive discussion on the topics and to participating actively in the organization and follow-up of the workshops;
11. *Decides*, without prejudice to the current preparatory arrangements for the Tenth Congress, to streamline and minimize the costs of the preparation and servicing of the regional preparatory meetings by shortening their duration and limiting their documentation, by holding them in conjunction with other regional meetings or, if they are not absolutely necessary, by not convening them at all;
12. *Also decides* that the savings achieved should be used in servicing meetings and in supporting the priority programme activities of the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat;
13. *Requests* the Secretary-General:
 - (a) To take the necessary logistic steps, in collaboration with Member States and the institutes constituting the Programme network, to mobilize the participation of interested partners in the preparations for the four workshops;
 - (b) To ensure, in collaboration with Member States, a wide and effective programme of public information related to the preparations for the Tenth Congress, to the Congress itself and to the implementation of its conclusions;
14. *Requests* the Commission, as the preparatory body for the United Nations congresses on the prevention of crime and the treatment of offenders, to accord high priority at its eighth session to the finalization in good time of all the necessary organizational and substantive arrangements;
15. *Also requests* the Commission, at its eighth session, to prepare a draft declaration for submission to the Tenth Congress, taking into account the results of the regional preparatory meetings;
16. *Urges* the regional preparatory meetings to examine the substantive items of the agenda and workshop topics of the Tenth Congress and to make action-oriented recommendations to serve as a basis for the draft declaration to be considered by the Commission at its eighth session;

17. *Requests* the Tenth Congress to elaborate a single declaration containing its recommendations on the various substantive items of its agenda with a view to submitting that declaration to the Commission for consideration at its ninth session;

18. *Decides* that the Commission, at its tenth session, should undertake a review of the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, including the issue of regional preparatory meetings;

19. *Requests* the Secretary-General to ensure proper follow-up of the present resolution and to report thereon to the General Assembly through the Commission on Crime Prevention and Criminal Justice at its eighth session.

*85th plenary meeting
9 December 1998*



General Assembly

Distr.
GENERAL

A/RES/53/111
20 January 1999

Fifty-third session
Agenda item 101

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/53/616)]

53/111. Transnational organized crime

The General Assembly,

Recalling its resolutions 49/159 of 23 December 1994 and 52/85 of 12 December 1997,

Taking note of the Buenos Aires Declaration on Prevention and Control of Organized Transnational Crime, adopted by the Regional Ministerial Workshop on Follow-up to the Naples Political Declaration and Global Action Plan against Organized Transnational Crime, held at Buenos Aires from 27 to 30 November 1995,¹ the Dakar Declaration on the Prevention and Control of Organized Transnational Crime and Corruption, adopted by the African Regional Ministerial Workshop on Organized Transnational Crime and Corruption, held at Dakar from 21 to 23 July 1997,² and the Manila Declaration on the Prevention and Control of Transnational Crime, adopted by the Asian Regional Ministerial Workshop on Organized Transnational Crime and Corruption, held at Manila from 23 to 25 March 1998,³

¹ E/CN.15/1996/2/Add.1, annex.

² E/CN.15/1998/6/Add.1, sect. I.

³ E/CN.15/1998/6/Add.2, sect. I.

Convinced of the importance of continuous action by Member States aimed at the full implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime, adopted by the World Ministerial Conference on Organized Transnational Crime, held at Naples, Italy, from 21 to 23 November 1994,⁴

Convinced also of the need to proceed expeditiously with the elaboration of a convention against transnational organized crime,

Mindful of the fact that, pursuant to Economic and Social Council decision 1997/232 of 21 July 1997, the theme for the seventh session of the Commission on Crime Prevention and Criminal Justice was "Organized transnational crime",

1. *Takes note* of the report of the Secretary-General on the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime: question of the elaboration of an international convention against organized transnational crime, and other possible international instruments;⁵

2. *Expresses its appreciation* to the Government of Poland for acting as host to the meeting of the inter-sessional open-ended intergovernmental group of experts, established pursuant to resolution 52/85, on the elaboration of a preliminary draft of a possible comprehensive international convention against organized transnational crime, held at Warsaw from 2 to 6 February 1998;

3. *Welcomes with appreciation* the report of the meeting of the intergovernmental group of experts;⁶

4. *Urges* Member States to continue to make every possible effort to implement fully the Naples Political Declaration and Global Action Plan by taking the most appropriate legislative, regulatory and administrative measures, including those aimed at prevention;

5. *Requests* the Secretary-General to continue his work on the development and maintenance of the central repository established pursuant to Economic and Social Council resolution 1996/27 of 24 July 1996;

6. *Urges* Member States to respond promptly to the requests of the Secretary-General for data, and other information and material, including legislation and pertinent regulatory texts, by submitting such information and material in accordance with the methodological points and categorization of data set forth in annex II to Economic and Social Council resolution 1997/22 of 21 July 1997, in order to facilitate the work of the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat;

⁴ A/49/748, annex, chap. I, sect. A.

⁵ E/CN.15/1998/6.

⁶ E/CN.15/1998/5.

7. *Requests* the Secretary-General to continue his work on the elaboration of training manuals for law enforcement and judicial personnel on action against transnational organized crime;

8. *Also requests* the Secretary-General to intensify his efforts to identify and allocate, within the overall budget of the United Nations, adequate resources for strengthening the capacity of the Centre for International Crime Prevention in order to assist Member States in the full implementation of the Naples Political Declaration and Global Action Plan;

9. *Further requests* the Secretary-General to continue to provide Member States with technical cooperation, advisory services and other forms of assistance upon request in the field of crime prevention and criminal justice, including in the area of prevention and control of transnational organized crime;

10. *Decides* to establish an open-ended intergovernmental ad hoc committee for the purpose of elaborating a comprehensive international convention against transnational organized crime and of discussing the elaboration, as appropriate, of international instruments addressing trafficking in women and children, combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and illegal trafficking in and transporting of migrants, including by sea;

11. *Welcomes with appreciation* the offer of the Government of Argentina to host an informal preparatory meeting of the intergovernmental ad hoc committee at Buenos Aires from 31 August to 4 September 1998, so as to ensure the continuation without interruption of work on the elaboration of the convention;

12. *Requests* the Secretary-General to convene a meeting of the intergovernmental ad hoc committee at Vienna from 18 to 29 January 1999 and to consider the possibility of convening a second meeting before the eighth session of the Commission on Crime Prevention and Criminal Justice, if this proves necessary to advance the process;

13. *Decides* to accept the recommendation of the Commission to elect Luigi Lauriola (Italy) as the Chairman of the intergovernmental ad hoc committee;

14. *Requests* the intergovernmental ad hoc committee, in carrying out its work pursuant to paragraph 10 above, to take into account the report of the intergovernmental group of experts, the report of the working group on the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime,⁷ including its appendices, and Economic and Social Council resolutions 1998/18, 1998/19 and 1998/20 of 28 July 1998;

15. *Requests* the Secretary-General to provide the necessary resources to convene, support and follow up the work of the intergovernmental ad hoc committee;

16. *Invites* donor countries to cooperate with developing countries to ensure their full participation in the work of the intergovernmental ad hoc committee;

⁷ *Official Records of the Economic and Social Council, 1998, Supplement No. 10 and corrigendum (E/1998/30 and Corr.1), annex III.*

17. *Requests* the intergovernmental ad hoc committee to submit a progress report to the Commission on Crime Prevention and Criminal Justice at its eighth session and to hold a meeting during that session for at least three working days.

*85th plenary meeting
9 December 1998*



General Assembly

Distr.
GENERAL

A/RES/53/112
20 January 1999

Fifty-third session
Agenda item 101

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/53/616)]

53/112. Mutual assistance and international cooperation in criminal matters

The General Assembly,

Bearing in mind that the United Nations model treaties on international cooperation in criminal matters provide important tools for the development of international cooperation,

Convinced that existing arrangements governing international cooperation in criminal justice must be regularly reviewed and revised to ensure that the specific contemporary problems of fighting crime are effectively addressed,

Bearing in mind that developing countries and countries with economies in transition may lack the resources for developing and implementing treaties on mutual assistance in criminal matters,

Convinced that complementing and supplementing the United Nations model treaties will contribute to increased efficiency in combating criminality,

Recalling its resolution 45/117 of 14 December 1990, by which it adopted the Model Treaty on Mutual Assistance in Criminal Matters, annexed to that resolution,

Recalling also its resolution 52/88 of 12 December 1997,

Commending the work of the Intergovernmental Expert Group Meeting on Mutual Assistance in Criminal Matters, held at Arlington, Virginia, United States of America, from 23 to 26 February 1998, to

implement in part resolution 52/88 by proposing complementary provisions for the Model Treaty, elements for inclusion in model legislation on mutual assistance in criminal matters, and training and technical assistance for national officials engaged in that field,

Commending also the Government of the United States of America for hosting the Intergovernmental Expert Group Meeting, for its substantial contribution to the organization of the Meeting and for the support given by the National Institute of Justice of the United States Department of Justice through the programme of the United Nations On-line Crime and Justice Clearing House,

1. *Welcomes* the report of the Intergovernmental Expert Group Meeting on Mutual Assistance in Criminal Matters, held at Arlington, Virginia, United States of America, from 23 to 26 February 1998;¹
2. *Decides* that the Model Treaty on Mutual Assistance in Criminal Matters should be complemented by the provisions set forth in annex I to the present resolution;
3. *Encourages* Member States, within the framework of national legal systems, to enact effective legislation on mutual assistance, and calls upon the international community to give all possible assistance in order to contribute to the achievement of that goal;
4. *Requests* the Secretary-General to elaborate, in consultation with Member States, for submission to the Commission on Crime Prevention and Criminal Justice, model legislation on mutual assistance in criminal matters, in order to enhance effective cooperation between States, taking into account the elements recommended by the Intergovernmental Expert Group for inclusion in such model legislation, which are set forth in annex II to the present resolution;
5. *Invites* Member States to take into account the Model Treaty in negotiating treaties at the bilateral, regional or multilateral level, as appropriate;
6. *Also invites* Member States to consider, where applicable and within the framework of national legal systems, the following measures in the context of the application of treaties on mutual assistance in criminal matters or other arrangements for such mutual assistance:
 - (a) Establishing or designating a national central authority or authorities to process requests for assistance;
 - (b) Undertaking regular reviews of their treaties on mutual assistance in criminal matters or other arrangements and implementing legislation, as well as taking other necessary measures for the purpose of rendering such arrangements and legislation more efficient and effective in combating established and emerging forms of crime;
 - (c) Concluding asset-sharing arrangements as a means of enabling forfeited proceeds of crime to be used to strengthen the capacity of national criminal justice systems and contributing a part of such proceeds to programmes such as those aimed at enhancing national capacities for fighting crime in developing countries and in countries with economies in transition, paying due consideration to the rights of bona fide third parties;

¹ E/CN.15/1998/7, annex.

(d) Making use of videoconferencing and other modern means of communication for, *inter alia*, the transmission of requests, consultation between central authorities, the taking of testimony and statements, and training;

7. *Encourages* Member States to promote, on a bilateral, regional or worldwide basis, measures to improve the skills of officials in order to strengthen mutual assistance mechanisms, such as specialized training and, whenever possible, secondment and exchanges of relevant personnel, and to consider the use of videoconferencing and other modern means of communication for training purposes;

8. *Reiterates its invitation* to Member States to provide to the Secretary-General copies of relevant laws and information on practices related to international cooperation in criminal matters and, in particular, to mutual assistance in criminal matters, as well as updated information on central authorities designated to deal with requests;

9. *Requests* the Secretary-General:

(a) To update and disseminate regularly the information mentioned in paragraph 8 above and, in particular, to prepare, for use by Member States, a directory of central authorities responsible for mutual legal assistance, drawing on the information already collected during the Intergovernmental Expert Group Meeting;

(b) To continue to provide advisory and technical cooperation services to Member States requesting assistance in drafting and implementing appropriate national legislation and in developing and implementing bilateral, subregional, regional or international treaties on mutual assistance in criminal matters, drawing on the expertise of Member States as appropriate;

(c) To provide, in cooperation with interested Member States and relevant intergovernmental organizations, training in mutual assistance law and practice for personnel in appropriate governmental agencies and for central authorities of requesting Member States in an effort to develop the necessary skills and to improve communication and cooperation aimed at enhancing the effectiveness of mutual assistance mechanisms;

10. *Also requests* the Secretary-General, in cooperation with interested Member States, relevant intergovernmental organizations and the institutes constituting the United Nations Crime Prevention and Criminal Justice Programme network, to develop appropriate training materials for use in providing to requesting Member States the technical assistance referred to above;

11. *Commends* the International Institute of Higher Studies in Criminal Sciences of Siracusa, Italy, for its offer to organize and host up to two training seminars for mutual assistance officials, and invites interested Member States to provide voluntary contributions to offset the travel costs of officials from developing countries and from countries with economies in transition and to make substantive contributions to the seminars;

12. *Urges* Member States and funding agencies to assist the Secretary-General in implementing the present resolution through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund;

13. *Requests* the Secretary-General to ensure the full implementation of the provisions of the present resolution.

85th plenary meeting
9 December 1998

ANNEX I

Complementary provisions for the Model Treaty on Mutual Assistance in Criminal Matters

Article 1

1. In paragraph 3 (*b*), replace the words "Optional Protocol to" with the words "article 18 of".

Article 3

2. In the title, replace the word "competent" with the word "central".
3. Insert the word "central" before the word "authority".
4. Add the following footnote to the end of the article:

"Countries may wish to consider providing for direct communications between central authorities and for the central authorities to play an active role in ensuring the speedy execution of requests, controlling quality and setting priorities. Countries may also wish to agree that the central authorities are not the exclusive channel for assistance between the Parties and that the direct exchange of information should be encouraged to the extent permitted by domestic law or arrangements."

Article 4

5. In the footnote to paragraph 1, replace the last sentence with the following:

"Countries may wish, where feasible, to render assistance, even if the act on which the request is based is not an offence in the requested State (absence of dual criminality). Countries may also consider restricting the requirement of dual criminality to certain types of assistance, such as search and seizure."

6. In paragraph 1 (*d*) delete the words "that is subject to investigation or prosecution in the requested State or".
7. Add the following footnote to the end of paragraph 4:

"States should consult, in accordance with article 20, before assistance is refused or postponed."

Article 5

8. Add the following footnote to the end of paragraph 2:

"Countries may wish to provide that the request may be made by modern means of communication, including, in particularly urgent cases, verbal requests that are confirmed in writing forthwith."

Article 6

9. Add the following footnote to the end of the article:

"The requested State should secure such orders, including judicial orders, as may be necessary for the execution of the request. Countries may also wish to agree, in accordance with national legislation, to represent or act on behalf or for the benefit of the requesting State in legal proceedings necessary to secure such orders."

Article 8

10. Add the following words to the end of the footnote to the article:

", or restrict use of evidence only where the requested State makes an express request to that effect."

11. Add the following words to the beginning of the article: "Unless otherwise agreed,".

Article 11

12. Add the following footnote to the end of paragraph 2:

"Wherever possible and consistent with the fundamental principles of domestic law, the Parties should permit testimony, statements or other forms of assistance to be given via video link or other modern means of communication and should ensure that perjury committed under such circumstances is a criminal offence."

Article 12

13. In the English version of paragraph 1, replace the word "required" with the words "called upon".

14. Add the following footnote to the end of the article:

"Some countries may wish to provide that a witness who is testifying in the requesting State may not refuse to testify on the basis of a privilege applicable in the requested State."

New article 18

15. Insert as new article 18, entitled "Proceeds of crime", paragraphs 1 to 6 of the Optional Protocol to the Model Treaty on Mutual Assistance in Criminal Matters concerning the proceeds of crime and delete the remaining text of the Protocol, including the footnotes.

16. Replace the word "Protocol" with the word "article" throughout the new article.

17. Add the following footnote to the end of the title of the new article:

"Assistance in forfeiting the proceeds of crime has emerged as an important instrument in international cooperation. Provisions similar to those outlined in the present article appear in many bilateral assistance treaties. Further details can be provided in bilateral arrangements. One matter that could be considered is the need for other provisions dealing with issues related to bank secrecy. Provision could be made for the equitable sharing of the proceeds of crime between the Contracting States or for consideration of the disposal of the proceeds on a case-by-case basis."

18. Add the following footnote to the end of paragraph 5:

"The Parties might consider widening the scope of the present article by the inclusion of references to victims' restitution and the recovery of fines imposed as a sentence in a criminal prosecution."

Articles 18-21

19. Renumber former article 18 as article 19 and renumber all subsequent articles accordingly.

ANNEX II

Elements recommended for inclusion in model legislation on mutual assistance in criminal matters

A. General recommendation

1. Model legislation on mutual assistance in criminal matters should reflect in statutory terms the general provisions of the Model Treaty on Mutual Assistance in Criminal Matters, together with the recommendations contained in annex I above. To the extent possible, it should provide different options for States with different legal systems. Where relevant, it should take into account provisions of the model bill on mutual assistance in criminal matters developed in 1998 by the United Nations International Drug Control Programme.

B. Scope

2. The model legislation should provide a full range of flexible options for assuming mutual assistance obligations. When there is a treaty on mutual assistance in criminal matters, the terms of that treaty should govern the relationship. The legislation should also permit mutual assistance to be provided without a treaty, with or without reciprocity.

C. Jurisdiction

3. The model legislation could provide for jurisdiction, *inter alia*:

(a) To issue judicial orders necessary for executing mutual assistance requests;

(b) To authorize the requested State to act on behalf or for the benefit of, or to represent the interests of, the requesting State in legal proceedings necessary for executing mutual assistance requests;

(c) To punish perjury committed during mutual assistance, in particular perjury committed during videoconferencing.

D. Procedure

4. The model legislation should include options for procedures dealing with both incoming and outgoing requests for assistance in criminal matters. Such procedures should be in conformity, wherever applicable, with international and regional human rights instruments. Where no treaty provision is applicable, the legislation could also contain provisions on specific forms of mutual assistance, including testimony and other forms of cooperation carried out via video link, cooperation in asset seizure and forfeiture and the temporary transfer of witnesses in custody.

5. The model legislation could provide for the establishment of a central authority or authorities for the receipt and transmission of requests and the provision of advice and assistance to relevant authorities. The legislation could also specify the extent of the central authority's powers.

E. Communications

6. Where no treaty provision is applicable, the legislation should set forth the means of communicating between the requesting State and the requested State, allowing for the use of the most modern forms of communication.



General Assembly

Distr.
GENERAL

A/RES/53/113
20 January 1999

Fifty-third session
Agenda item 101

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/53/616)]

53/113. United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 52/89 of 12 December 1997 and all other relevant resolutions,

Taking note of the report of the Secretary-General¹ and further acknowledging the assistance rendered to the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders,

Bearing in mind the urgent need to establish effective crime prevention strategies for Africa, as well as the importance of law enforcement agencies and the judiciary at the regional and subregional levels,

1. *Commends* the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders for its efforts to promote and coordinate regional technical cooperation activities related to crime prevention and criminal justice systems in Africa;

2. *Reiterates* the need to strengthen further the capacity of the Institute to support national mechanisms for crime prevention and criminal justice in African countries;

¹ A/53/381.

3. *Urges* the States members of the Institute to make every possible effort to meet their obligations to the Institute;

4. *Appeals* to all Member States and non-governmental organizations to adopt concrete practical measures to support the Institute in the development of the requisite capacity and implement its programmes and activities aimed at strengthening crime prevention and criminal justice systems in Africa;

5. *Requests* the Secretary-General to intensify efforts to mobilize all relevant entities of the United Nations system to provide the necessary financial and technical support to the Institute to enable it to fulfil its mandate;

6. *Calls upon* the United Nations Crime Prevention and Criminal Justice Programme to work closely with the Institute;

7. *Requests* the Secretary-General to enhance regional cooperation, coordination and collaboration in the fight against crime, especially in its transnational dimension, which could not be adequately dealt with by national action alone;

8. *Also requests* the Secretary-General to make concrete proposals to strengthen the programmes and activities of the Institute and to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution.

*85th plenary meeting
9 December 1998*



General Assembly

Distr.
GENERAL

A/RES/53/114
20 January 1999

Fifty-third session
Agenda item 101

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/53/616)]

53/114. Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity

The General Assembly,

Recalling its resolution 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme, in which it approved the statement of principles and programme of action annexed to that resolution,

Bearing in mind the goals of the United Nations in the field of crime prevention and criminal justice, specifically the reduction of criminality, more efficient and effective law enforcement and administration of justice, respect for human rights and promotion of the highest standards of fairness, humanity and professional conduct,

Convinced of the desirability of closer coordination and cooperation among States in combating crime, including drug-related crimes such as money-laundering, illicit arms trade and terrorist crimes, bearing in mind the role that could be played by both the United Nations and regional organizations in this respect,

Recognizing the urgent need to increase technical cooperation activities in order to assist countries, in particular developing countries and countries with economies in transition, with their efforts in translating United Nations policy guidelines into practice,

Recalling its relevant resolutions in which it requested the Secretary-General, as a matter of urgency, to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandate, in conformity with the high priority attached to the Programme,

1. *Takes note with appreciation* of the report of the Secretary-General on the progress made in the implementation of General Assembly resolution 52/90 of 12 December 1997;¹

2. *Reaffirms* the importance of the United Nations Crime Prevention and Criminal Justice Programme and the crucial role it has to play in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, in responding to the needs of the international community in the face of both national and transnational criminality and in assisting Member States in achieving the goals of preventing crime within and among States and improving the response to crime;

3. *Also reaffirms* the priority of the Programme, in accordance with the relevant resolutions, and requests the Secretary-General further to strengthen the Programme by providing it with the resources necessary for the full implementation of its mandate, including follow-up action to the Naples Political Declaration and Global Action Plan against Organized Transnational Crime, adopted by the World Ministerial Conference on Organized Transnational Crime, held at Naples, Italy, from 21 to 23 November 1994,² and to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995;³

4. *Further reaffirms* the high priority attached to technical cooperation and advisory services in the field of crime prevention and criminal justice, and stresses the need to continue to improve the operational activities of the Programme, in particular in developing countries and countries with economies in transition, in order to meet the needs of Member States, at their request, for support in crime prevention and criminal justice;

5. *Encourages* the ongoing efforts of the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat to obtain executing agency status with the United Nations Development Programme;

6. *Calls upon* States and United Nations funding agencies to make significant financial contributions for the operational activities of the United Nations Crime Prevention and Criminal Justice Programme, and encourages all States to make voluntary contributions for that purpose to the United Nations Crime Prevention and Criminal Justice Fund, taking into account the activities required for the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime;

7. *Expresses its appreciation* to non-governmental organizations and other relevant sectors of civil society for their support to the Programme, and encourages them to increase such support;

¹ A/53/380.

² A/49/748, annex, chap. I, sect. A.

³ See A/CONF.169/16/Rev.1.

8. *Calls upon* States to review funding policies for development assistance so as to include crime prevention and criminal justice in such assistance;

9. *Calls upon* all relevant programmes, funds and organizations of the United Nations system, in particular the United Nations Development Programme, the World Bank and other international, regional and national funding agencies, to support technical operational activities in this field;

10. *Takes note with appreciation* of the contributions of the United Nations Crime Prevention and Criminal Justice Programme to United Nations peacekeeping and special missions, as well as its contributions to the follow-up to those missions, *inter alia*, through advisory services, and encourages the Secretary-General, as a way of strengthening the rule of law, to recommend the inclusion of the re-establishment and reform of judicial and criminal justice systems in peacekeeping operations;

11. *Requests* the Executive Director of the Office for Drug Control and Crime Prevention to continue to strengthen cooperation between the United Nations International Drug Control Programme and the Centre for International Crime Prevention, in particular in the areas of transnational organized crime and money-laundering;

12. *Requests* the Secretary-General to take all necessary measures to assist the Commission on Crime Prevention and Criminal Justice, as the principal policy-making body in this field, in performing its activities, including cooperation and coordination with other relevant bodies, such as the Commission on Narcotic Drugs, the Commission on Human Rights and the Commission on the Status of Women;

13. *Calls upon* the open-ended intergovernmental ad hoc committee, established on the recommendation of the Commission on Crime Prevention and Criminal Justice, for the purpose of elaborating a comprehensive international convention against transnational organized crime to devote attention to the drafting of the main text of the convention, as well as, as appropriate, of international instruments addressing trafficking in women and children, combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and illegal trafficking in and transporting of migrants, including by sea;

14. *Welcomes* the efforts undertaken by the Commission on Crime Prevention and Criminal Justice to improve the strategic management of the United Nations Crime Prevention and Criminal Justice Programme and to exercise more vigorously its mandated function of resource mobilization, and calls upon the Commission to strengthen further its activities in this direction;

15. *Also welcomes* the decision of the Commission to mainstream a gender perspective into all its activities and its request to the Secretariat that a gender perspective be integrated into all activities of the Centre for International Crime Prevention;

16. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-fourth session.



General Assembly

Distr.
GENERAL

A/RES/53/115
1 February 1999

Fifty-third session
Agenda item 102

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/53/617)]

53/115. International cooperation against the world drug problem

The General Assembly,

Recalling its resolution 52/92 of 12 December 1997,

Welcoming the outcome of the twentieth special session of the General Assembly devoted to countering the world drug problem together, held in New York from 8 to 10 June 1998, and the determination of Governments at the highest political level to overcome the world drug problem by a full and balanced application of national, regional and international strategies to reduce the illicit demand for, production of and trafficking in drugs, as reflected in the Political Declaration,¹ the Declaration on the Guiding Principles of Drug Demand Reduction,² and the measures to enhance international cooperation to counter the world drug problem,³

Gravely concerned that, despite continued increased efforts by States, relevant international organizations, civil society and non-governmental organizations, there is a global expansion of the drug problem, which constitutes a serious threat to the health, safety and well-being of all mankind, in particular young people, in all countries, undermines development, socio-economic and political stability and democratic institutions, entails an increasing economic cost for Governments, also threatens the

¹ Resolution S-20/2, annex.

² Resolution S-20/3, annex.

³ Resolution S-20/4.

national security and sovereignty of States, as well as the dignity and hope of millions of people and their families, and causes irreparable loss of human lives,

Deeply alarmed by the growing and spreading violence and economic power of criminal organizations and terrorist groups engaged in drug-trafficking activities and other criminal activities, such as money-laundering and illicit traffic in arms, precursors and essential chemicals, and by the increasing transnational links between them, and recognizing the need for international cooperation and implementation of effective strategies on the basis of the outcome of the twentieth special session of the General Assembly, which are essential to achieving results against all forms of transnational criminal activities,

Deeply convinced that the special session made a significant contribution to a new comprehensive framework for international cooperation, based on an integrated and balanced approach with strategies, measures, methods, practical activities, goals and specific targets to be met, that all States, the United Nations system and other international organizations must implement them with concrete actions and that the international financial institutions, such as the World Bank, and the regional development banks should be invited to include action against the world drug problem in their programmes, taking into account the priorities of States,

Convinced that civil society, including non-governmental organizations, can make an effective contribution to and should play an active role in addressing the world drug problem,

Emphasizing the importance of the Declaration on the Guiding Principles of Drug Demand Reduction that introduces a global approach, recognizing a new balance between illicit supply and demand reduction, under the principle of shared responsibility, aims at preventing the use of drugs and at reducing the adverse consequences of drug abuse, special attention being paid to youth, and is one of the pillars of the new global strategy and an important initiative of the United Nations Decade against Drug Abuse, 1991-2000, and reaffirming the need for demand reduction programmes,

Emphasizing equally the importance of supply reduction as an integral part of a balanced drug control strategy under the principles enshrined in the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development,⁴ and reaffirming the need for alternative development programmes,

Underlining the role of the Commission on Narcotic Drugs as the principal United Nations policy-making body on drug control issues, the leadership role and commendable work of the United Nations International Drug Control Programme as the main focus for concerted multilateral action and the important role of the International Narcotics Control Board as an independent monitoring authority, as set out in the international drug control treaties,

Recognizing the efforts of countries that produce narcotic drugs for scientific and medical purposes to prevent the diversion of such substances to illicit markets and to maintain production at a level consistent with licit demand in line with the Single Convention on Narcotic Drugs of 1961,⁵

⁴ Resolution S-20/4 E.

⁵ United Nations, *Treaty Series*, vol. 520, No. 7515.

Acknowledging that there are links, under certain circumstances, between poverty and the increase in the illicit production of and trafficking in narcotic drugs and psychotropic substances and that the promotion of the economic development of countries affected by the illicit drug trade requires appropriate measures, including strengthened international cooperation in support of alternative and sustainable development activities in the affected areas of those countries, which have as their objectives the reduction and elimination of illicit drug production,

Stressing that respect for all human rights is and must be an essential component of measures taken to address the drug problem,

Ensuring that women and men benefit equally, and without any discrimination, from strategies directed against the world drug problem, through their involvement in all stages of programmes and policy-making,

Recognizing that the use of the Internet poses new opportunities and challenges to international cooperation in combating drug abuse and illicit production and trafficking,

I

RESPECT FOR THE PRINCIPLES ENSHRINED IN THE CHARTER OF THE UNITED NATIONS AND INTERNATIONAL LAW IN THE FIGHT AGAINST THE WORLD DRUG PROBLEM

1. *Reaffirms* that the fight against the world drug problem is a common and shared responsibility which must be addressed in a multilateral setting, requiring an integrated and balanced approach, and must be carried out in full conformity with the purposes and principles of the Charter of the United Nations and international law, and particularly with full respect for the sovereignty and territorial integrity of States, the principle of non-intervention in internal affairs of States and all human rights and fundamental freedoms;

2. *Calls upon* all States to take further actions to promote effective cooperation at the international and regional levels in the efforts to combat the world drug problem so as to contribute to a climate conducive to achieving that end, on the basis of the principles of equal rights and mutual respect;

3. *Urges* all States to ratify or accede to and implement all the provisions of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,⁶ the Convention on Psychotropic Substances of 1971⁷ and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;⁸

⁶ Ibid., vol. 976, No. 14152.

⁷ Ibid., vol. 1019, No. 14956.

⁸ See *Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November-20 December 1988*, vol. I (United Nations publication, Sales No. E.94.XI.5).

II

INTERNATIONAL COOPERATION TO COUNTER THE WORLD DRUG PROBLEM

1. *Urges* competent authorities, at the international, regional and national levels, to implement the outcome of the twentieth special session, within the agreed time-frames, in particular the high-priority practical measures at the international, regional or national level, as indicated in the Political Declaration,¹ the Declaration on the Guiding Principles of Drug Demand Reduction² and the measures to enhance international cooperation to counter the world drug problem,³ including the Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and Their Precursors,⁴ the measures to prevent the illicit manufacture, import, export, trafficking, distribution and diversion of precursors used in the illicit manufacture of narcotic drugs and psychotropic substances,¹⁰ the measures to promote judicial cooperation,¹¹ the measures to counter money-laundering¹² and the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development;⁴

2. *Renews* its commitment to further strengthening international cooperation and substantially increasing efforts to counter the world drug problem, in accordance with the obligations of States under the United Nations drug control conventions, on the basis of the general framework given by the Global Programme of Action,¹³ and the outcome of the special session, and taking into account experience gained;

3. *Calls upon* all States to adopt effective measures, including national laws and regulations, to implement the mandates and recommendations of the Global Programme of Action, to strengthen national judicial systems and to carry out effective drug control activities in cooperation with other States in accordance with those international instruments, in order to implement the outcome and the goals of the special session;

4. *Calls upon* the relevant United Nations bodies, the specialized agencies, the international financial institutions and other concerned intergovernmental and international organizations, within their mandates, and all actors of civil society, notably non-governmental organizations, community-based organizations, sports associations, the media and the private sector, to cooperate more closely with Governments in their efforts to promote and implement the actions to fulfil the Global Programme of Action and the outcome of the special session;

5. *Urges* Governments, the relevant United Nations bodies, the specialized agencies and other international organizations to assist and support, upon request, transit States, in particular developing countries in need of such assistance and support, aiming at enhancing their capacity to fight illicit trafficking of narcotic drugs and psychotropic substances, and emphasizes the importance of national initiatives, as well as subregional, regional and international cooperation, in combating illicit drug trafficking;

⁹ Resolution S-20/4 A.

¹⁰ See resolution S-20/4 B.

¹¹ Resolution S-20/4 C.

¹² Resolution S-20/4 D.

¹³ See resolution S-17/2, annex.

6. *Reaffirms* that preventing the diversion of chemicals from legitimate commerce to illicit drug manufacture is an essential component of a comprehensive strategy against drug abuse and trafficking, takes note of the progress made in developing practical guidelines, including those of the International Narcotics Control Board and the recommendations on implementing article 12 of the 1988 Convention, and calls upon all States to adopt and implement measures to prevent the diversion of chemicals to illicit drug manufacture in accordance with the resolution on the control of precursors, adopted at the special session;¹⁰

7. *Requests* the Executive Director of the United Nations International Drug Control Programme to report to the Commission on Narcotic Drugs at its forty-second session, in March 1999, on the follow-up to the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development;

8. *Requests* the Commission on Narcotic Drugs to examine, at its forty-second session, the proposal for an action plan for the implementation of the Declaration on the Guiding Principles of Drug Demand Reduction, which is being elaborated by the United Nations International Drug Control Programme in consultation with Member States, taking into account the international agreements and declarations in the area of demand reduction that have been elaborated, in particular the Global Programme of Action, and addressing all policies and programmes to all sectors of society;

9. *Requests* the Commission on Narcotic Drugs and the United Nations International Drug Control Programme to elaborate guidelines in order to facilitate reporting by Governments on the implementation of the Global Programme of Action and progress achieved in meeting the goals and targets for the years 2003 and 2008, as set out in the Political Declaration of the special session, and to have an efficient collection of reliable data, increase the number of Governments that report updated information on a regular basis, improve the quality of their responses and avoid duplication of activities;

10. *Calls upon* the Commission on Narcotic Drugs to mainstream a gender perspective into all its policies, programmes and activities, and requests the Secretariat to integrate a gender perspective into all documentation prepared for the Commission;

11. *Recalls* the World Programme of Action for Youth to the Year 2000 and Beyond, adopted by the General Assembly on 14 December 1995,¹⁴ notes with satisfaction the active participation of youth organizations and youth during the special session, and stresses the importance of their continuing to contribute their experiences and to participate in the decision-making processes, in particular in relation to the elaboration of the action plan for the implementation of the Declaration on the Guiding Principles of Drug Demand Reduction;

12. *Calls upon* States to adopt effective measures to stem the illicit trade in small arms, which, as a result of its close link to the illicit drug trade, is generating extremely high levels of crime and violence within the societies of some States, threatening the national security and economies of those States;

13. *Notes* the elaboration of an international convention against transnational organized crime by the year 2000, within the framework of the Commission on Crime Prevention and Criminal Justice;

¹⁴ Resolution 50/81, annex.

14. *Reaffirms* the importance of achieving the objectives of the United Nations Decade against Drug Abuse, 1991-2000, under the theme "A global response to a global challenge", by Member States, the United Nations International Drug Control Programme and the United Nations system;

III

ACTION BY THE UNITED NATIONS SYSTEM

1. *Reaffirms* the role of the Executive Director of the United Nations International Drug Control Programme in coordinating and providing effective leadership for all United Nations drug control activities so as to increase cost-effectiveness and ensure coherence of action, as well as coordination, complementarity and non-duplication of such activities throughout the United Nations system;

2. *Emphasizes* the need to increase the efficiency of the United Nations System-wide Action Plan on Drug Abuse Control,¹⁵ as a tool to promote the coordination and enhancement of drug abuse control activities within the United Nations system;

3. *Urges* the specialized agencies, programmes and funds, including humanitarian organizations, and invites multilateral financial institutions, to include action against the world drug problem in their programming and planning processes, in order to ensure that the integral and balanced strategy which emerged from the special session devoted to countering the world drug problem together is being addressed;

IV

UNITED NATIONS INTERNATIONAL DRUG CONTROL PROGRAMME

1. *Welcomes* the efforts of the United Nations International Drug Control Programme to implement its mandate within the framework of the international drug control treaties, the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control,¹⁶ the Global Programme of Action,¹⁷ the outcome of the special session of the General Assembly devoted to countering the world drug problem together and relevant consensus documents;

2. *Requests* the United Nations International Drug Control Programme:

(a) To strengthen cooperation with Member States, as well as with United Nations programmes, funds and relevant agencies and non-governmental organizations, and to provide, on request, assistance in implementing the outcome of the special session, which may include the adjustment of national laws and policies, the development of training programmes and the establishment of mechanisms for data collection and analysis;

(b) To strengthen the dialogue and cooperation with multilateral development banks and with the international financial institutions so that they may undertake lending and programming activities related

¹⁵ See A/49/139-E/1994/57.

¹⁶ See *Report of the International Conference on Drug Abuse and Illicit Trafficking, Vienna 17-26 June 1987* (United Nations publication, Sales No. E.87.I.18), chap. I, sect. A.

to drug control in interested and affected countries to implement the outcome of the special session, and to keep the Commission on Narcotic Drugs informed on further progress made in this area;

(c) To continue, taking into account the outcome of the special session, to include in its report on illicit traffic in drugs an updated assessment of worldwide trends in illicit traffic and transit in narcotic drugs and psychotropic substances, including methods and routes used, and to recommend ways and means of improving the capacity of States along those routes to deal with all aspects of the drug problem;

(d) To continue the publication of the *World Drug Report* with comprehensive and balanced information about the world drug problem and to seek additional extrabudgetary resources for its publication in all official languages;

3. *Invites* Governments and the United Nations International Drug Control Programme to consider ways and means of improving the coordination of United Nations activities related to the world drug problem so as to avoid duplication of such activities, strengthen efficiency and accomplish the goals approved by Governments;

4. *Urges* all Governments to provide the fullest possible financial and political support to the Programme by widening its donor base and increasing voluntary contributions, in particular general-purpose contributions, to enable it to continue, expand and strengthen its operational and technical cooperation activities;

5. *Urges* the International Narcotics Control Board to increase efforts to implement all its mandates under international drug control conventions and to continue to cooperate with Governments, including by offering advice and technical support to Member States that request it;

6. *Notes* that the International Narcotics Control Board needs sufficient resources to carry out all its mandates, and therefore urges Member States to commit themselves in a common effort to assigning adequate and sufficient budgetary resources to the Board, in accordance with Economic and Social Council resolution 1996/20 of 23 July 1996, and emphasizes the need to maintain its capacity, including through the provision of appropriate means by the Secretary-General and adequate technical support by the United Nations International Drug Control Programme;

7. *Stresses* the importance of the meetings of Heads of National Drug Law Enforcement Agencies and the Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East of the Commission on Narcotic Drugs, and encourages them to continue to contribute towards strengthening regional and international cooperation, taking into account the outcome of the special session;

8. *Takes note* of the reports of the Secretary-General,¹⁷ and, taking into account the promotion of integrated reporting, requests the Secretary-General to submit to the General Assembly at its fifty-fourth session a report on the implementation of the outcome of the twentieth special session and the present resolution.

85th plenary meeting
9 December 1998

¹⁷ A/53/382, A/53/383 and A/53/129-E/1998/58.